

**ORDINANCE NO. 20080605-065**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1000 EAST 41<sup>ST</sup> STREET IN THE HANCOCK NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-CO-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property described in Zoning Case No. C14-2008-0071, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.349 acre (15,192 sq. ft.) tract of land, more or less, out of Outlot 19, Division C, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1000 East 41<sup>st</sup> Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are conditional uses of the Property:

Automotive rentals	Building maintenance services
Commercial blood plasma center	Commercial off-street parking
Custom manufacturing	Drop-off recycling collection facilities

Residential treatment  
Funeral services  
Monument retail sales  
Research services  
Indoor entertainment

Exterminating services  
Hotel-motel  
Outdoor sports and recreation  
Indoor sports and recreation  
Service station

B. The following uses are prohibited uses of the Property:

Agricultural sales and services  
Automotive sales  
Campground  
Cocktail lounge  
Electronic prototype assembly  
Equipment repair services  
Kennels  
Maintenance and service facilities  
Pawn shop services  
Vehicle storage

Automotive repair services  
Automotive washing (of any type)  
Club or lodge  
Construction sales and services  
Equipment sales  
Convenience storage  
Limited warehousing and distribution  
Outdoor entertainment  
Transitional housing

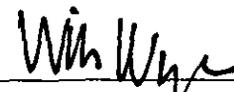
**PART 4.** The Property is subject to Ordinance No. 20040826-059 that established the Hancock neighborhood plan combining district.

**PART 5.** This ordinance takes effect on June 16, 2008.

**PASSED AND APPROVED**

June 5, 2008

§  
§  
§

  
Will Wynn  
Mayor

**APPROVED:**

  
David Allan Smith  
City Attorney

**ATTEST:**

  
Shirley A. Gentry  
City Clerk



Professional Land Surveying, Inc.  
Surveying and Mapping

EXHIBIT A

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

**0.349 ACRES (APPROXIMATELY 15,192 SQ. FT.)  
OUTLOT 19, DIVISION "C", ORIGINAL CITY OF AUSTIN**

A DESCRIPTION OF 0.349 ACRES (APPROXIMATELY 15,192 S.F.) OF LAND OUT OF OUTLOT 19, DIVISION "C", ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 34.248 ACRE TRACT OF LAND CONVEYED TO PACIFIC RETAIL TRUST IN A SPECIAL WARRANTY DEED DATED JULY 8, 1996 AND RECORDED IN VOLUME 12723, PAGE 2153 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.349 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

**BEGINNING** at a calculated point for the southwest corner of an existing one story stucco building, from which a 60d nail found in concrete at the intersection of the east right-of-way line of Red River Street (right-of-way width varies) and the north right-of-way line of East 41<sup>st</sup> Street (right-of-way width varies), being the southwest corner of the said 34.248 acre tract, bears South 42°37'10" West, a distance of 564.47 feet,

**THENCE** crossing the said 34.248 acre tract with the west face of the stucco building the following five (5) courses and distances:

1. North 29°38'08" East, a distance of 93.20 feet to a calculated point;
2. North 60°20'39" West, a distance of 4.35 feet to a calculated point;
3. North 29°38'08" East, a distance of 28.22 feet to a calculated point;
4. South 60°20'39" East, a distance of 4.36 feet to a calculated point;
5. North 29°38'08" East, a distance of 48.16 feet to a calculated point in the approximate center of an existing party wall, from which a 1/2" rebar found in the east right-of-way line of Red River Street, being the northwest corner of the said 34.248 acre tract, bears North 16°59'56" West, a distance of 384.68 feet;

**THENCE** crossing the said 34.248 acre tract with the approximate center of the existing party wall, the following two (2) courses and distances:

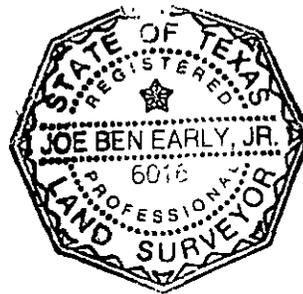
1. South 60°13'55" East, a distance of 88.86 feet to a calculated point;
2. South 29°38'08" West, a distance of 169.57 feet to a calculated point in the south face of the stucco building;

**THENCE** North 60°13'55" West with the south face of the stucco building, a distance of 88 87 feet to the **POINT OF BEGINNING**, containing 0 349 acres of land, more or less

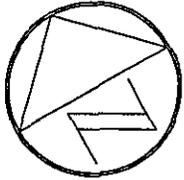
Surveyed on the ground, March 06, 2008. Bearing Basis: Grid Azimuth for Texas Central Zone State Plane Coordinates, based on GPS solutions from the National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS). Attachments: Survey Drawing 040-063-ZN1.DWG

*JBE 3/10/08*

Joe Ben Early, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 6016

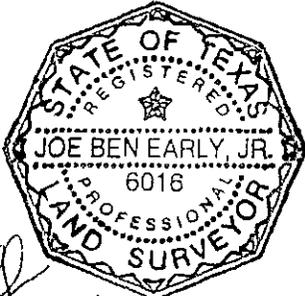


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.349 ACRES (APPROXIMATELY 15,192 S.F.) OF LAND OUT OF OUTLOT 19, DIVISION "C", ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 34.248 ACRE TRACT OF LAND CONVEYED TO PACIFIC RETAIL TRUST IN A SPECIAL WARRANTY DEED DATED JULY 8, 1996 AND RECORDED IN VOLUME 12723, PAGE 2153 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.



1" = 50'

LEGEND	
●	1/2" REBAR FOUND
▲	60D NAIL FOUND IN CONCRETE
○	CALCULATED POINT



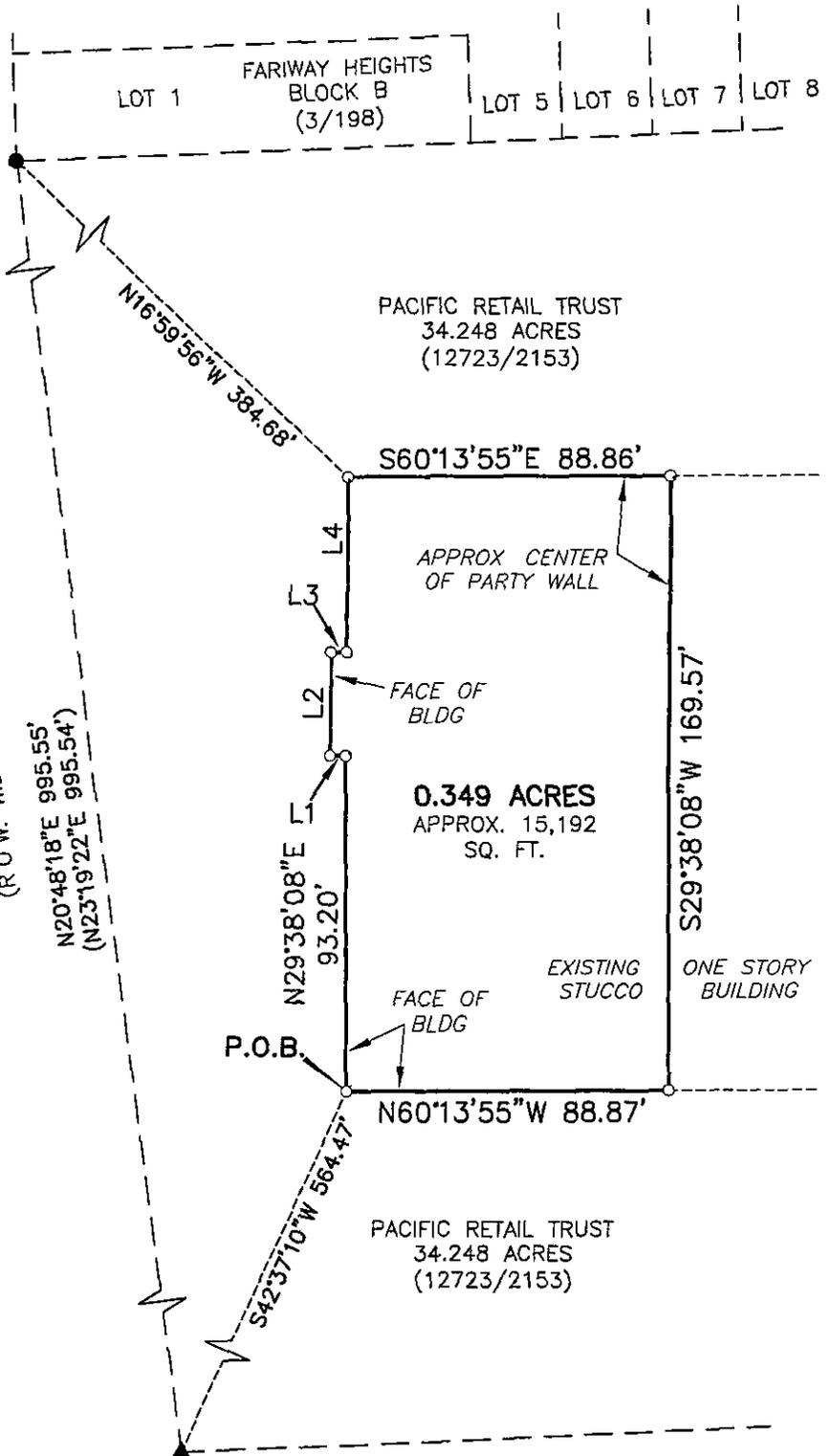
*JB* 3/10/08

LINE TABLE		
No.	BEARING	LENGTH
L1	N60°20'39"W	4.35'
L2	N29°38'08"E	28.22'
L3	S60°20'39"E	4.36'
L4	N29°38'08"E	48.16'

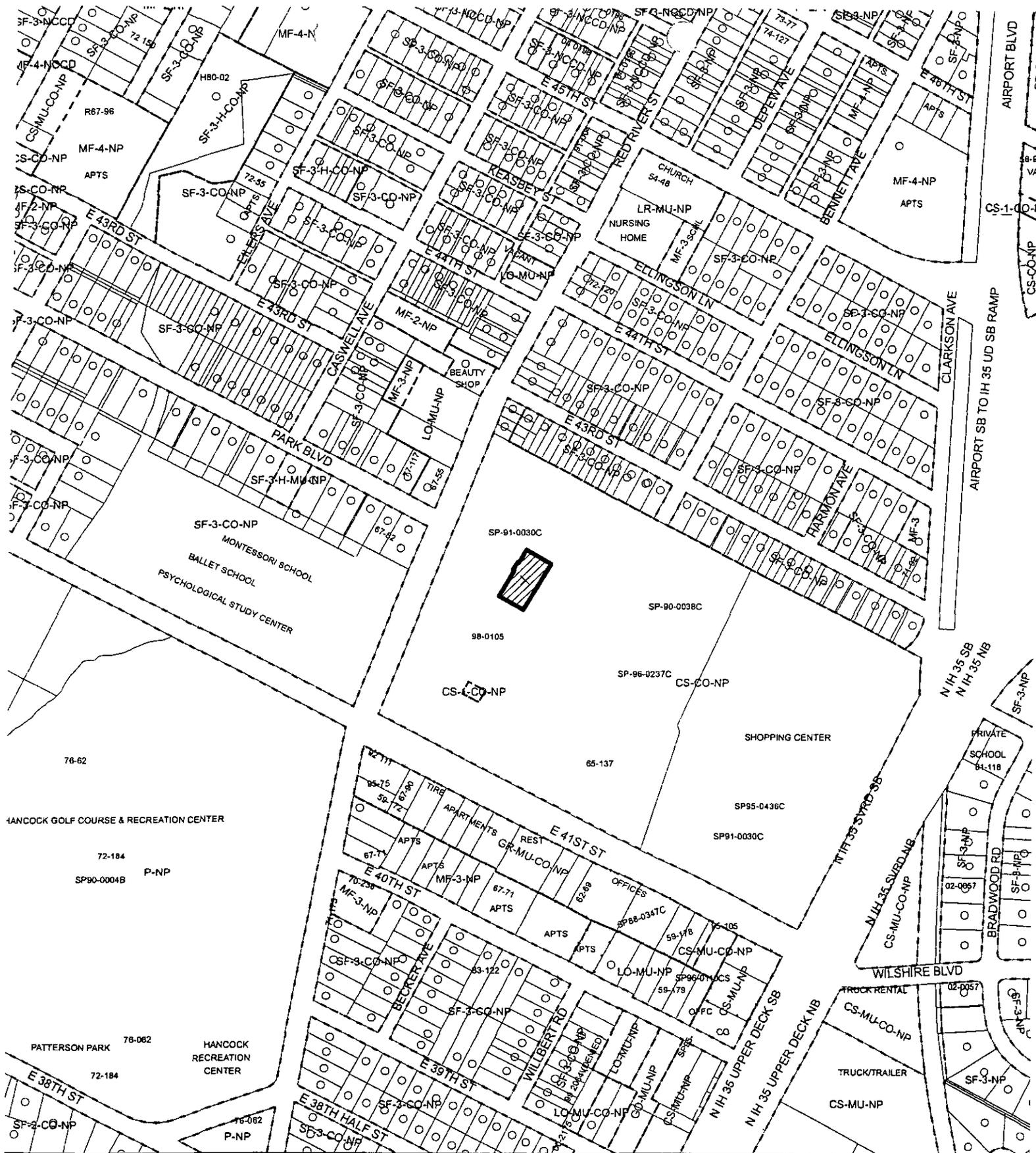
BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE STATE PLANE COORDINATES, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 040-063-ZN1

DATE OF SURVEY: 03/06/08  
 PLOT DATE: 03/10/08  
 DRAWING NO.: 040-063-ZN1  
 PROJECT NO.: 040-063



**Chaparral**



**ZONING EXHIBIT B**

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

**ZONING CASE#: C14-2008-0071**  
**ADDRESS: 1000 E 41ST ST**  
**SUBJECT AREA: 0.349 ACRES**  
**GRID: K25**  
**MANAGER: J. HARDEN**



**OPERATOR S. MEEKS**

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 400'